

IC 34-20-4

Chapter 4. Defective Products

IC 34-20-4-1

Products considered defective

Sec. 1. A product is in a defective condition under this article if, at the time it is conveyed by the seller to another party, it is in a condition:

- (1) not contemplated by reasonable persons among those considered expected users or consumers of the product; and
- (2) that will be unreasonably dangerous to the expected user or consumer when used in reasonably expectable ways of handling or consumption.

As added by P.L.1-1998, SEC.15.

IC 34-20-4-2

Failure to provide adequate warnings or instructions

Sec. 2. A product is defective under this article if the seller fails to:

- (1) properly package or label the product to give reasonable warnings of danger about the product; or
- (2) give reasonably complete instructions on proper use of the product;

when the seller, by exercising reasonable diligence, could have made such warnings or instructions available to the user or consumer.

As added by P.L.1-1998, SEC.15.

IC 34-20-4-3

Products made safe for reasonably expectable handling and consumption not considered defective

Sec. 3. A product is not defective under this article if it is safe for reasonably expectable handling and consumption. If an injury results from handling, preparation for use, or consumption that is not reasonably expectable, the seller is not liable under this article.

As added by P.L.1-1998, SEC.15.

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Products incapable of being made safe not considered defective

Sec. 4. A product is not defective under this article if the product is incapable of being made safe for its reasonably expectable use, when manufactured, sold, handled, and packaged properly.

As added by P.L.1-1998, SEC.15.